

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MARCH 20, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-10 – Repeals Chapters 10.44 and 11.68 of the Municipal Code, relating to solicitation and to the City's Pedestrian Mall, respectively, and redesignates Chapters 10.44A and 11.68A as Chapters 10.44 and 11.68, respectively. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

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No Impact

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Augmentation Required

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Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Last November, in response to a decision by the Ninth Circuit Court of Appeals, the City Council adopted two new chapters regarding solicitation activities and the Pedestrian Mall to replace those that were the subject of the litigation in question. The existing chapters were retained on the books for purposes of preserving the City's litigation position. The need to retain those chapters (Chapters 10.44 and 11.68) has passed, so this bill will repeal them and renumber as their replacements the new provisions that were adopted in November.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2007-10
2. Business Impact Statement

Motion made by STEVEN D. ROSS to Approve as a Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

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CHIEF DEPUTY CITY ATTORNEY STEED stated that the Federal Courts found fault with two chapters in the City Code dealing with solicitations and the pedestrian mall. In response, the Council adopted replacement chapters 10.44A and 11.68A, to leave in place the old provisions to avoid any possible appeal cases being won because the language was not in place. Chapters 10.44A and 11.68A can now be redesignated as 10.44 and 11.68. COUNCILMEMBERS TARKANIAN and ROSS expressed their support of staff's efforts.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

